

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

GENERAL PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

MO-G690000

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

FACILITY DESCRIPTION

All Outfalls

Dredging: Return water and stormwater runoff from dredged material deposition sites and other disturbance resulting from maintenance dredging of lakes and rivers.

This permit authorizes only wastewater, including storm waters, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

December 13, 2002

Effective Date

Stephen M. Mahford, Director, Department of Natural Resources
Executive Secretary, Clean Water Commission

December 12, 2007

Expiration Date

Jim Hull, Director of Staff, Clean Water Commission

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 2 of 9	
					PERMIT NUMBER MO-G690000	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>All Outfalls</u>						
Flow	MGD	*		*	once/week	24 hr. estimate
Settleable Solids	mL/L/hr	1.5		1.0	once/week	grab
pH - Units	SU	**		**	once/week	grab
Presence of Oil Sheen		***		***	once/week	visual
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE _____. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

* Monitoring requirement only.

** pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.

*** No visible sheen is allowable.

Note: In addition to this permit, any discharge of fill material into a stream (intermittant or otherwise) will necessitate a U.S. Army Corps of Engineers' 404 permit and state 401 Water Quality Certification.

APPLICABILITY

1. This permit authorizes the discharge of return water and stormwater from maintenance dredging of lakes and/or river harbors owned or controlled by a city, city utility, local unit of government, home owners association, or commercial dredging operations to waters of the state of Missouri. The permit places effluent quality limits on any water that flows from dredged sediment.

A Missouri State Operating Permit that specifically identifies the project must be issued before any maintenance dredging can occur. Permittee should be aware that other state and federal permits may be needed.

2. This permit will not be issued for discharges within 1000 feet of:
 - a. Streams identified as a losing stream*,
 - b. Streams or lakes listed as an outstanding national or state resource water*,
 - c. Reservoirs or lakes used for public drinking water supplies (class L1)*, or
 - d. Streams, lakes or reservoirs identified as critical habitat for endangered species.
3. This permit will not be issued for discharges within two stream miles upstream of biocriteria reference locations*.
4. This permit will not be issued for discharges where:
 - a. Any of the disturbed area is defined as a wetland (Class W)*, or
 - b. The storm water discharges to a sinkhole or other direct conduit to groundwater.
5. This general permit does not authorize the placement of fill materials in flood plains, the obstruction of stream flow, directing storm waters across private property not owned or operated by the permittee, or changing the channel of a defined drainage course. This general permit is intended to address only the quality of the runoff from the dredged material and minimize off-site migration of sediments and other water contaminants.
6. This general permit does not authorize any discharge to waters of the state of sewage, wastewaters, or pollutants such as:
 - a. Hazardous substances and oil and grease that may be contained in dredged sediment,
 - b. Wastewater generated from air pollution control equipment or the containment of scrubber water in lined ponds, or
 - c. Domestic wastewaters, including gray waters.
7. If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner/operator of the permitted site to apply for a site specific permit, the department may require any person to obtain a site specific operating permit [10 CSR 20-6.010 (13) and 10 CSR 20-6.200(5)].

The department may require the permittee to apply for and obtain a site specific or different general permit if:

- a. The permittee is not in compliance with the conditions of this general permit;
- b. The discharge no longer qualifies for this general permit due to changed site conditions and regulations; or
- c. Information becomes available that indicates water quality standards have been or may be violated.

The permittee will be notified in writing of the need to apply for a site specific permit or a different general permit. The permittee shall submit the appropriate Forms to the department to terminate the permit that has been replaced.

* Identified or described in 10 CSR 20, Chapter 7. These regulations are available at many libraries or on the internet at <http://www.sos.state.mo.us/adrules/csr/csr.asp>.

APPLICABILITY (continued)

8. Any owner/operator authorized by a general permit may request to be excluded from the coverage of the general permit and apply for a site specific permit [10 CSR 20-6.010 (13) and 10 CSR 20-6.200(5)].

EXEMPTIONS FROM PERMIT REQUIREMENTS

Facilities that discharge all runoff directly to a combined sewer system are exempt from permit requirements.

REQUIREMENTS AND POLLUTION PREVENTION PLAN GUIDELINES

Note: These requirements do not supersede nor remove liability for compliance with county and other local ordinances.

1. Discharges from these facilities shall not cause a violation of the state water quality standards, 10 CSR 20-7.031, which states, in part, that no water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
 - a. Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
 - b. Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
 - c. Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
 - d. Waters shall be free from substances or conditions in sufficient amounts to have a harmful effect on human, animal or aquatic life.
 - e. There shall be no significant human health hazard from incidental contact with the water;
 - f. There shall be no acute toxicity to livestock or wildlife watering;
 - g. Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
 - h. Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles, or equipment and solid waste as defined in Missouri's Solid Waste Law, Section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to Section 260.200-260.247.
2. Good housekeeping practices shall be maintained on the site to keep solid waste from entry into waters of the state.
3. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and counter measures.
4. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of RCRA and CERCLA.
5. An individual shall be designated by the permittee as responsible for environmental matters. Staff of the permitted facility shall ensure that Best Management Practices are continually implemented and effective.
6. The department may require sediment analyses as a part of the permit application. The applicant will be notified if this is required.

REQUIREMENTS AND POLLUTION PREVENTION PLAN GUIDELINES (continued)

7. In addition to complying with the monitoring requirements shown on Page 2 of 9, an additional requirement of this permit is the development and implementation of a Pollution Prevention Plan (PPP) that

- a. Incorporates required practices,
- b. Incorporates erosion control practices specific to site conditions, and
- c. Provides for maintenance and adherence to the plan.

For new applicants, before dredging or submitting an application, the permittee shall develop a PPP that is specific to the dredging activities at the site. This plan must be developed before a permit can be issued and made available as specified under RECORDS. However, the plan should not be submitted to the department unless specifically requested.

The permittee shall fully implement the provisions of the PPP required under this part as a condition of this general permit throughout the term of the dredging project.

The purpose of the PPP is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of sediment and other pollutants in discharges associated with the dredging activities; comply with the Missouri Water Quality Standards; and ensure compliance with the terms and conditions of this general permit.

The permittee shall select, install, use, operate, and maintain the BMPs in accordance with the concepts and methods described in the following documents:

- a. ***Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices***, (Document number EPA 832-R-92-005) published by the United States Environmental Protection Agency (USEPA) in 1992. **This manual is available at The USEPA internet site:**
http://cfpubl.epa.gov/npdes/pubs.cfm?program_id=0 (searching under **Publications/Policy and Guidance Documents**).
- b. ***Protecting Water Quality: A field guide to erosion, sediment and storm water best management practices for development sites in Missouri***, published by the Missouri Department of Natural Resources in November 1995.

The permittee is not limited to the use of these guidance manuals. Other commonly accepted publications may be used for guidance and must be referenced in the PPP if used. In addition, the permittee is not limited to the use of BMP identified in these manuals. However, any alternative BMPs should be justified by site conditions and described in the PPP.

8. PPP Requirements: The following information and practices shall be provided for in the PPP.
- a. Site Description. In order to identify the site, the PPP shall include the facility and outfall information provided in the Application Form. The PPP shall have sufficient information to be of practical use to contractors and site construction workers to guide the installation and maintenance of BMPs.
 - b. Description of Best Management Practices: The PPP shall include a description of the BMPs that will be used at the site. The PPP shall provide the following general information for each BMP which will be used one or more times at the site:
 - i. Physical description of the BMP,
 - ii. Site and physical conditions that must be met for effective use of the BMP,
 - iii. BMP installation/construction procedures, including typical drawings, and
 - iv. Operation and maintenance procedures for the BMP.

REQUIREMENTS AND POLLUTION PREVENTION PLAN GUIDELINES (continued)

8. PPP Requirements (continued)

b. Description of Best Management Practices (continued)

The PPP shall provide the following information for each specific instance where a BMP is to be installed:

- i. Whether the BMP is temporary or permanent,
- ii. Where, in relation to other site features, the BMP is to be located,
- iii. When the BMP will be installed in relation to each phase of dredging project, and
- iv. What site conditions must be met before removal of the BMP if the BMP is not a permanent BMP.

- c. Installation: The permittee shall ensure the BMPs are properly installed at the locations and relative times specified in the PPP. Peripheral or border BMPs to control runoff from dredged materials shall be installed before the material is deposited. Discharges from dredged materials, which leave the site, shall pass through an appropriate impediment to sediment movement, such as a sedimentation basin, sediment traps, silt fences, etc. prior to leaving the site of deposition.

- d. Temporary and Permanent Non-Structural BMPs: The PPP shall require existing vegetation to be preserved where practical. The time period for areas where the dredged material is placed to be without vegetative cover is to be minimized to the extent practical.

Examples of non-structural BMPs which the permittee should consider specifying in the PPP include: protection of existing vegetation for use as buffer strips (especially along drainage courses), mulching, sodding, temporary seeding, final seeding, geotextiles, stabilization of disturbed areas, preserving existing stream channels as overflow areas when channel straightening or shortening is allowed, soil stabilizing emulsions and tackifiers, mulch tackifiers, stabilized site entrances/exits, and other appropriate BMPs.

- e. Temporary and Permanent Structural BMPs: Examples of structural BMPs that the permittee should consider specifying in the PPP include: diverting flows from undisturbed areas away from areas where dredged material is placed, silt (filter fabric or straw bale) fences, earthen diversion dikes, drainage swales, sediment traps, rock check dams, subsurface drains (to gather or transport water for surface discharge elsewhere), pipe slope drains (to carry concentrated flow down a slope face), level spreaders (to distribute concentrated flow into sheet flow), storm drain inlet protection and outlet protection, reinforced soil retaining systems, gabions, temporary or permanent sediment basins, and other appropriate BMPs.

- f. Sedimentation Basins: The PPP shall discuss the use of sediment basins. If sediment basins are used, the basin shall be sized to contain 0.5 inch of sediment from the drainage area and to be able to contain a 2-year, 24-hour storm. The sediment shall be cleaned out of the basin and otherwise maintained as needed until the drainage area is stabilized. This requirement does not apply to flows from areas where such flows are properly diverted around both the area where sediment is placed and the sediment basin. Discharges from the basin shall not cause scouring of the banks or bottom of the receiving stream.

Where use of a sediment basin of this size is impractical, the PPP shall evaluate and specify other similarly effective BMPs to be employed to control erosion and sediment runoff from the area where sediment is deposited. The PPP shall require the basin be maintained until final stabilization of the area served by the basin.

The PPP shall require both temporary and permanent sedimentation basins to have a stabilized spillway to minimize the potential for erosion of the spillway or basin embankment.

REQUIREMENTS AND GUIDELINES (continued)

9. Amending/Updating the PPP: The permittee shall amend and update the PPP as appropriate during the dredging activity. The permittee shall amend the PPP, at a minimum, whenever the:
 - a. Design, operation, or maintenance of BMPs is changed;
 - b. Design of the dredging project is changed that could significantly affect the quality of the storm water discharges;
 - c. Permittee's inspections indicate deficiencies in the PPP or any BMP;
 - d. MDNR notifies the permittee of deficiencies in the PPP;
 - e. The PPP is determined to be ineffective in significantly minimizing or controlling erosion and sedimentation (e.g., there is visual evidence, such as excessive site erosion or excessive sediment deposits in streams or lakes);
 - f. Total Settleable Solids from an outfall exceed permit effluent limits; or
 - g. MDNR determines violations of Water Quality Standards may occur or have occurred.
10. Site Inspections Reports: The permittee shall ensure the site where dredged material is deposited is inspected on a regular schedule and within a reasonable time period (not to exceed 72 hours) following heavy rains. Regularly scheduled inspections shall be at a minimum once per week. For disturbed areas that have not been finally stabilized, all installed BMPs and other pollution control measures shall be inspected for proper installation, operation and maintenance. Locations where water leaves the site shall be inspected for evidence of erosion or sediment deposition. Any deficiencies shall be noted in a weekly report of the inspection(s) and corrected within seven calendar days of the inspection report. The permittee shall promptly notify the site contractors responsible for operation and maintenance of BMPs of deficiencies. Inspections can be reduced to monthly during the time when dredging is no longer taking place, but the permittee is establishing 70% vegetative cover.

A log of each inspection shall be kept. The inspection report is to include the following minimum information: inspector's name, date of inspection, observations relative to the effectiveness of the BMPs, actions taken or necessary to correct deficiencies, and listing of areas where land disturbance operations have permanently or temporarily stopped. The inspection report shall be signed by the permittee or by the person performing the inspection if duly authorized to do so.

11. Proper Operation and Maintenance: The permittee shall at all times maintain all pollution control measures and systems in good order to achieve compliance with the terms of this general permit.

The need to halt or reduce the permitted activity in order to maintain compliance with general permit conditions shall not be a defense to the permittee in an enforcement action.

12. Notification to All Contractors: The permittee shall notify each contractor or entity (including utility crews and city employees or their agents) who will perform work at the site of the existence of the PPP and what action or precautions shall be taken while on site to minimize the potential for erosion and the potential for damaging any BMP. If additional land is disturbed or any BMP damaged, then the permittee shall cause to have the disturbance or damage repaired.

OTHER DISCHARGES

1. Hazardous Substance and Oil Spill Reporting: Refer to Section B, #14 of Part I of the Standard Conditions that accompany this permit.
2. Removed substances: Refer to Section B, #6 of Part I of the Standard Conditions that accompany this permit.
3. Change in discharge: In the event soil contamination or hazardous substances are discovered at the site during dredging activities, the permittee shall notify MDNR in writing.

SAMPLING REQUIREMENTS AND EFFLUENT LIMITATIONS

Discharges shall not violate General Water Quality Standards 10 CSR 20-7.031(3). Settleable Solids shall not exceed a maximum of 1.5 ml/L/hr. for each storm water outfall.

RECORDS

1. The permittee shall retain copies of this general permit, the PPP and all amendments for the site named in the State Operating Permit, results of any monitoring and analysis, and all site inspection records required by this general permit. The permittee shall retain these records at a site which is readily available from the permitted site until final stabilization of a site is achieved. The local office of the permittee, their contractor or consultant is considered to be readily available from the project site if it is located in the same county as the project site. The records shall be accessible during normal business hours. After final stabilization the records may be maintained at the location of the permittee's main office. The records shall be retained for a period of at least three years from the date of the Letter of Termination.
2. The permittee shall provide a copy of the PPP to MDNR, USEPA, or any local agency or government representative if they request a copy in the performance of their official duties.
3. The permittee shall provide those who are responsible for installation, operation, or maintenance of any BMP a copy of the PPP.
4. The permittee, their representative, and/or the contractor(s) responsible for installation, operation, and maintenance of the BMPs shall have a current copy of the PPP available on the project site.

TRANSFER OF OWNERSHIP

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" signed by the seller and buyer of the facility, along with the appropriate modification fee.

TERMINATION

This permit may be terminated when the project is stabilized. The project is considered to be stabilized when either perennial vegetation, pavement, buildings, or structures using permanent materials cover all areas that have been disturbed. With respect to areas that have been vegetated, vegetative cover shall be at least 70% of fully established plant density over 100% of the disturbed area.

In order to terminate the permit, the permittee shall notify MDNR by submitting Form H, Termination of a General Permit. The permittee shall complete Form H and mail it to MDNR at the address noted in the cover letter of this permit.

This general permit will expire five years from the effective date of the permit (see page 1). The issue date is the date the State Operating Permit is issued to the applicant. The expiration date may or may not coincide with the date the authorized project or development is scheduled for completion.

If the project completion date will be after the expiration date of this general permit, then the permittee must reapply to the department for the permit to be re-issued. In order for the permit to be re-issued, the permittee should submit the appropriate application form(s) at least 180 days before the expiration of the permit if dredging or revegetation activity is expected to continue past the expiration date of this general permit.

If the permittee does not apply for the renewal of this permit, this permit will automatically terminate on the expiration date. Continued discharges from a dredging project that has not been fully stabilized are prohibited beyond the expiration date; unless the permit is reissued or the permittee has filed a timely application for the reissuance of this permit.

DUTY TO COMPLY

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6.200. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

Date of Fact Sheet: July 9, 2002

Date of Public Notice: August 30, 2002

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
FACT SHEET

This Fact Sheet explains the applicable regulations, rationale for development of this permit and the public participation process.

NPDES PERMIT NUMBER: MO-G690000

FACILITY NAME: Dredging for Lakes or Rivers

FACILITY DESCRIPTION AND RATIONALE

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollutant Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). A discharge not in compliance with all permit terms and conditions is unlawful. NPDES permits in Missouri are issued by the Director of the Department of Natural Resources under an approved NPDES program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended).

State programs have the authority to issue general permits to sources of discharge if the Director feels that the discharge is appropriately controlled by a general permit. Water discharged from the lake and river dredging operations is a point source, and consequently is subject to permit requirements. Because the discharges authorized by this permit covers facilities which: involve the same or substantially similar types of operations; discharge the same types of wastewaters; require the same operating conditions; or require the same monitoring; the Department has determined that the discharges authorized by this permit are eligible for a general permit.

The proposed general permit is for discharges from deposited sediment from intermittent maintenance of lakes and rivers by dredging located within the State of Missouri. This proposed permit will enable maintenance operations to commence in a timely manner by allowing the discharge of lake and river water into waters of the state. The treatment systems will vary from site to site dependent upon waste characteristics, concentration and receiving stream standards. This permit also covers stormwater discharges from deposited sediment.

10 CSR 20-7.031 Missouri Water Quality Standards, Missouri Department of Natural Resources (the Department) "defines the Clean Water Commission's water quality objectives in terms of water uses to be maintained and the criteria to protect those uses." The receiving stream's beneficial water uses to be maintained have assumed to be: livestock watering, wildlife watering and protection of aquatic life.

In order to protect these beneficial uses and the water quality of the receiving stream, effluent limitations are being established under federal and state laws. The current Department effluent regulations 10 CSR 20-7.015(3) (C) states that non-domestic waste discharges "shall meet the applicable control technology currently effective or that which will become effective during the life of the permit. Where this definition is not available or applicable the Department shall set specific parameter limitations using best engineering judgment as defined in 402(a)(1) of the Federal Clean Water Act."

Rationale for Effluent Limitations

The effluent limitations in the permit were developed using Water Quality Standards and "Best Professional Judgement." They reflect effluent limitations which should be attainable by good housekeeping practices alone and these same limits are used in other general permits regulating facilities where petroleum products could potentially discharge to the waters of the state.

This permit is a previously issued general permit and will be reissued for a period of five years.